

Squire Sanders (US) LLP 1200 19th Street, NW Suite 300 Washington, D.C. 20036

O +1 202 626 6600 F +1 202 626 6780 squiresanders.com

Bruce A. Olcott T +1 202 626 6615 bruce.olcott@squiresanders.com

April 19, 2013

BY ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street SW Washington DC 20554

Re: Progeny LMS, LLC

Permitted Oral Ex Parte Presentation

WT Docket No. 11-49

Dear Ms. Dortch:

On April 17, 2013, the undersigned spoke briefly by telephone with Renee Gregory, Legal Advisor to Chairman Julius Genachowski. The undersigned emphasized that a decision on the compliance of Progeny LMS, LLC ("Progeny") with Section 90.353(d) of the Commission's rules is well within the delegated authority of the Commission's Wireless Telecommunications Bureau and Office of Engineering and Technology. Further, given the substantial administrative burdens of the transition in leadership in two Commission offices, by far the most efficient manner in which to address Progeny's compliance is through a Bureau decision. As Progeny noted in a recent letter, the Commission's statutory authority to delegate matters to its Bureaus was always intended to promote administrative efficiency and prompt decision making.¹

Thank you for your attention to this matter. Please contact the undersigned if you have any questions.

Sincerely,

Bruce A. Olcott

Counsel to Progeny LMS, LLC

37 Offices in 18 Countries

Squire Sanders (US) LLP is part of the international legal practice Squire Sanders which operates worldwide through a number of separate legal entities

¹ See 47 U.S.C. § 155(c)(1).